

**REMARKS**

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-12 are all the claims elected for prosecution. Claims 13-21 are withdrawn from consideration. Applicant respectfully submits that the pending claims define patentable subject matter.

**I. Prior Art Rejections**

Claims 1-4, 6-8 and 10-12 are rejected under 35 U.S.C. § 102(e) as being anticipated by Hirai et al. (U.S. Patent No. 6,545,958; hereinafter “Hirai”). Claims 5 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hirai in view of Furuta et al. (U.S. Patent No. 6,621,771; hereinafter “Furuta”). Applicant respectfully submits that the claimed invention would not have been anticipated by Hirai or rendered obvious in view of Hirai, alone or in combination with Furuta.

Amended independent claim 1 is directed to “[a]n optical head unit.” Claim 1 recites:

a first light source emitting a light with a first wavelength;  
a second light source emitting a light with a second wavelength;  
a third light source emitting a light with a third wavelength;  
a first objective lens irradiating said light emitted from said first light source onto an optical recording medium, and said first objective lens being fixed in a path of said light emitted from said first light source;  
a second objective lens irradiating said light emitted from said second light source or said light emitted from said third light source onto an optical recording medium, and said second objective lens being fixed in a path of said light emitted from said second light source and said light emitted from said third light source; and  
a photodetector receiving a reflected light from said optical recording medium.

With regard to claim 1, the Examiner cites Hirai for allegedly disclosing an optical head unit having all of the features recited in claim 1. In support of the rejection, the Examiner cites Figs. 16, 24, 26 and 32 of Hirai.

Applicant respectfully submits that claim 1 describes a first objective lens for the first light source being fixed in a path of said light emitted from said first light source, a second objective lens for the second or the third light source being fixed in a path of said light, emitted from said second light source and said light emitted from said third light source.

Hirai describes a device for three types of optical recording media (the eleventh, twelfth, and thirteenth embodiments and Figs. 32, 38, 39 and 41 in Hirai). However, Applicant respectfully submits that the device disclosed in Hirai is different from the claimed invention for the following reasons. Hirai's device has a first light source, a second light source, a third light source, a first objective lens for the first light source, a second objective lens for the second light source, and a third lens for the third light source. Each objective lens of the first, the second and the third objective lenses is provided in a common path of light beams emitted from the first light source, the second light source, and the third light source, by switching with an axis sliding and rotating actuator. For example, each lens (the objective lens 212, 213, and 214 in Fig 32) for each light source (the semiconductor laser 201 and 202 in Fig. 32) is switched depending upon the light source by an axis sliding and rotating actuator (Fig. 18 in Hirai) in the common path of the light sources (col. 35, lines 149 in Hirai). Accordingly, the device disclosed in Hirai is complicated because it needs additional devices for switching objective lens.

On the other hand, claim 1 requires that the first objective lens is fixed in a path of said light emitted from said first light source, and the second objective lens is fixed in a path of said light emitted from said second light source and said light emitted from said third light source. Accordingly, a complicated device for switching the objective lens (like in Hirai) can be omitted from the optical head unit in this invention. Hence, Hirai does not disclose or suggest these features of claim 1. Accordingly, Hirai does not anticipate claim 1 or the claims that depend therefrom. Therefore, claims 5 and 9 are patentable over Hiram and Furuta for at least the same reasons as claim 1.

Furuta, which is cited for teaching an angle of deviation amount between tracks in innermost and outermost circumference, does not satisfy this deficiency of Hirai.

## II. Conclusion

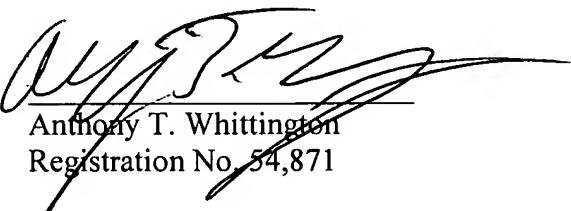
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Application No.: 10/701,015

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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